REMARKS

Applicants and Applicants' attorney express appreciation to the Examiner for the courtesies extended during the recent interview held on August 4, 2004. The amendments and arguments submitted in this paper are consistent with the amendments and arguments presented during the Interview.

Claims 31-50 are pending, of which claims 31 and 36 are independent software claims and claim 45 is an independent method claim. As indicated above, claims 31-35, 36, 40, 44, and 45 have been amended by this paper. Applicants note for the record that the amendments to the dependent claims were made solely to make use of claim language that is consistent with the amendments to the independent claims or to correct typographic errors, and therefore does not evince an intent to surrender any subject matter.

The Office Action objected to the drawings because in Figure 2 the reference character 30 is used to designate both PROGRAM and PROGRAM II. Applicants propose changing the reference character 30 to 30' for PROGRAM II in Figure 2.

The Office Action objected to the drawings because they do not include 30' as a reference characters as mentioned in the description. The proposed drawing change to Figure 2 above also addresses this objection.

The Office Action object to the drawings because they include 34, 36' and 70 as reference characters, but those reference characters are not mentioned in the description. Because the drawings are accurate, Applicants have: (i) amended paragraph [0147] to mention reference character 34, (ii) amended paragraph [0150] to mention reference character 36', and (iii) amended paragraph [0160] to mention reference character 70.

The Office Action objected to the Abstract because display element 50 was misnumbered as display element 5. Applicants have amended the Abstract accordingly.

The Office Action objected to the disclosure because paragraph [0140] included the typographical error "c6mpressed." Applicants have amended paragraph [0140] accordingly.

The Office Action objected to claim 40 for using "band-width" and "bandwidth" interchangeably. Applicants have amended claim 40 to use "bandwidth" consistently.

The Office Action rejected independent claims 31 and 36 (and corresponding dependent claims 33-38 and 44) under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No 6,021,433

to Payne et al. ("*Payne*"); rejected independent claim 45 (and corresponding dependent claims 46-50) under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No 6,021,433 to Purnaveja et al. ("*Purnaveja*"); rejected dependent claim 32 under 35 U.S.C. § 103(a) as being unpatentable over *Payne* in view of U.S. Patent No. 5,229,862 to Takahashi et al. ("*Takahashi*"); rejected dependent claims 39-41 under 35 U.S.C. § 103(a) as being unpatentable over *Payne* in view of U.S. Patent No. 5,583,995 to Gardner et al. ("*Gardner*"); and rejected dependent claims 42 and 43 under 35 U.S.C. § 103(a) as being unpatentable over *Payne* in view of *Purnaveja*.[1]

Applicants note for the record that Application No. 09/770,644 (this application), and U.S. Patent No. 6,021,433 to Purnaveja et al. were, at the time the invention of Application No. 09/770,644 owned by or subject to an obligation of assignment to Microsoft Corporation. (WebTV Networks, Inc., the assignee of Application No. 09/770,644 is a wholly owned subsidiary of Microsoft Corporation.) Therefore, in accordance with 35 U.S.C § 103(c), *Purnaveja* is disqualified as 35 U.S.C. § 102(e) prior art. (Applicants' claimed a July 27, 1998 priority date for a January 25, 2001 filing, which is on or after November 29, 1999, and *Purnaveja* issued October 30, 2001.) *See* MPEP § 702.02(l). Accordingly, the rejections of record under 35 U.S.C. § 103(a) for claims 42 and 43 should be withdrawn regardless of any position taken by the Examiner with respect to the following remarks.

Applicants invention, as claimed for example in independent claim 31 relates to a software program for WWW page design, comprising one or more computer readable media storing (i) a restriction module which receives one or more restrictions defining one or more limitations imposed by a compression method to be used in generating a display of one or more WWW pages for viewing at a client as a compressed video stream, and (ii) a design module, which lays out one or more display elements, responsive to said received one or more limitations in order to meet said one or more limitations when creating a compressed video stream of said display to be sent to a client.

Similarly, applicants invention as claimed for example in independent claim 36 relates to a compression-modified software that generates at least one display to be viewed, comprising one or more computer readable media storing (i) a program that when running at a server

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[1]Although the prior art status of all cited art is not being challenged at this time, Applicants reserve the right to do so in the future. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status or asserted teachings of the cited art.

generates a display for viewing at a client as a compressed video stream, and (ii) a compression-responsive module which receives an indication of one or more restrictions related to compression of said at least one display and which controls said module to generate said at least one display responsive to said indication, wherein said at least one display is modified relative to a display generated without said restrictions in order to meet said one or more restrictions when creating a compressed video stream of said at least one display to be sent to a client.

Applicants invention as claimed for example in independent claim 45 relates to a method of advertisement, comprising (i) providing a compressed video stream, representing a display of computer software that is running at a server and is to be sent to a client as the compressed video stream, (ii) determining an available portion of said display, and (iii) inserting an advertisement into said available portion of said display, wherein inserting comprises adding the advertisement into said compressed video stream, without decompressing said compressed video stream, such that said compressed video stream includes the advertisement.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131. That is, "for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly." MPEP § 706.02. Applicants also note that "[i]n determining that quantum of prior art disclosure which is necessary to declare an applicant's invention 'not novel' or 'anticipated' within section 102, the stated test is whether a reference contains an 'enabling disclosure.'" MPEP § 2121.01. In other words, a cited reference must be enabled with respect to each claim limitation. During examination, the pending claims are given their broadest reasonable interpretation, *i.e.*, they are interpreted as broadly as their terms reasonably allow, consistent with the specification. MPEP §§ 2111 & 2111.01.

Payne discloses a wireless communication system that turns a personal computer or other computing device into a personal wireless information and messaging center. Col. 5, ll. 20-26. Information is wirelessly broadcast on a nationwide basis to wireless receiving devices which are connected to the personal computer or other computing devices. Col. 5, ll. 43-48. A central broadcast server wirelessly transmits data parsed from incoming data feeds of information sources though a commercial wireless carrier. Col. 6, ll. 28-34. A content manager determines priorities for different types of information, decides what information will be transmitted, decides what information will be rejected, applies scheduling rules, determines information

format, compression method, etc. Col. 8, ll. 26-36. On the user end, once data is received a message server design recombines, decodes, and decompresses the incoming data. Col. 6, ll. 34-36. By clicking on a button within a multimedia viewer that notified the user that a message came in, Payne automatically makes a wired connection to the information source where the user can receive detailed information. Col. 5, ll. 55-61.

Purnaveja discloses techniques for reliably providing a multimedia stream, such as a video and audio stream, together with annotations, such as textual and graphical information, in an integrated seamless package to client computers. Col. 2, ll. 26-32. For example, a producer includes a capture module for capturing video streams and an author module for generating annotation streams. Col. 2, ll. 49-51. The video and annotation streams are stored in stream servers to be provided to client computers upon request. Col. 2, ll. 51-53.
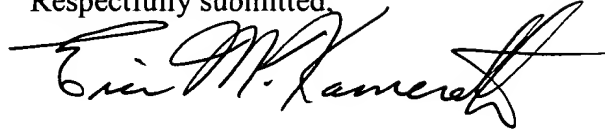
Among other things, however, *Payne* and *Purnaveja* fail to teach or suggest generating a display for viewing at a client as a compressed video stream or providing a compressed video stream representing a display of computer software that is running at a server and is to be sent to a client as the compressed video stream. The Examiner seemed to concur with this analysis during the Interview and noted in the Interview Summary that the proposed claim amendments and arguments appear to distinguish over the cited art and that the Examiner will update the search upon receiving the formal response.

Based on at least the foregoing reasons, therefore, Applicants respectfully submit that the cited prior art fails to anticipate or make obvious Applicants invention, as claimed for example, in independent claims 31, 36, and 45. Applicants note for the record that the remarks above render the remaining rejections of record for the independent and dependent claims moot, and thus addressing individual rejections or assertion with respect to the teachings of the cited art is unnecessary at the present time, but may be undertaken in the future if necessary or desirable, and Applicants reserve the right to do so.

In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 7th day of September, 2004.

Respectfully submitted,

RICK D. NYDEGGER
Registration No. 28,651
ERIC M. KAMERATH
Registration No. 46,081
Attorneys for Applicant

Customer No. 022913

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